



**WP(MD). No.25084 of 2024**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

WEB COPY

**Date : 22/10/2024**

**CORAM**

**The Hon`ble Mr.Justice N.SATHISH KUMAR**

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S.Jeyakumar

... Petitioner

**Vs**

1. The Inspector of General Of Registration,  
No.100, Santhome High Road,  
Chennai.

2. The District Registrar (Administration),  
Madurai South,  
Madurai District..

3. The Joint Sub Registrar No.1,  
Madurai South,  
Madurai..

... Respondents

**PRAYER :-** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating with the order of the 3<sup>rd</sup> respondent in RFL/Madurai South Joint 4/3/2024 dated 09.10.2024 and quash the same as it is illegal and in consequence to direct the 3<sup>rd</sup> respondent to register the settlement deed dated 04.10.2024 relates to approved house plot



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measuring 915 Sq. ft bearing Plot No.9A in R.S.No.167/4 and 5 in Ponmeni Village, Madurai South and to release the same after completing necessary formalities within a time frame to be stipulated by this Court.

For Petitioner : Mr.R. Suriya Narayanan  
For Respondents : Mr.M.Siddharthan  
Additional Government Pleader

### **ORDER**

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2. The writ petition has been filed challenging the order dated 09.10.2024 of the 3<sup>rd</sup> respondent and to direct the 3<sup>rd</sup> respondent to register the settlement deed dated 04.10.2024 relates to approved house plot measuring 915 Sq. ft bearing Plot No.9A in R.S.No.167/4 and 5 in Ponmeni Village, Madurai South and to release the same after completing necessary formalities within a time frame to be stipulated by this Court.

4. The case of the petitioner is that the subject property was purchased by the petitioner in the year 2020. After purchase, the



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petitioner has divided the same into plots and sold. However, on 04.10.2024, when the petitioner intends to gift a house plot in favour of his wife and when the same was presented for registration, the same was refused to be registered on the first ground that Plot No.7A is not available in the original unapproved lay out and there is a bar under Section 22A(2) of the Registration Act and the 2<sup>nd</sup> ground is that the earlier sale deed dated 25.08.2020 has been cancelled vide order dated 24.05.2023. Challenging the same, the present Writ Petition has been filed.

5. The learned counsel for the petitioner would submit that as far as the first ground of refusal that there was no approval, according to him, as far as the subject land, approval has been granted on 09.03.2021 and has also been regularised and a copy of the same has also been placed in the typed set of papers. In respect of the 2<sup>nd</sup> ground is concerned, the cancellation of the document has already been set aside by this Court in WP(MD) No.13188/2023 vide order dated 02.08.2024.



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6. I have considered the rival submissions and perused the materials available on record.

7. Since the earlier cancellation of deed has already been set aside vide order of this Court dated 02.08.2024 and for the subject land approval has already been granted, the impugned refusal slip cannot be sustained in the eye of law.

8. Accordingly, this Writ Petition is allowed and the impugned Refusal Check Slip dated 09.10.2024 of the 3<sup>rd</sup> respondent is quashed. The petitioner is directed to produce all the relevant documents to prove that the plots have been approved. On production of such documents, the 3<sup>rd</sup> respondent is directed to register the settlement deed dated 09.10.20204 presented by the petitioner within a period of fifteen days from the date of receipt of a copy of this Order. No costs.

**22.10.2024**

**RR**



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**N.SATHISH KUMAR,J**

**RR**

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